

1840.

miation, addressed, "To the Electors of President and Vice President of the United States, Annapolis. Upon opening it, it was found to contain ^{two} certificates, each of which was in the following language, to wit: —

"I do hereby certify that David Hoffmann, John Leeds New, Theodor R. Lookinman, Jacob A. Preston, John P. Kennedy, George Howard, Richard S. Davis, James Mc Coale, William T. Woodrow, and Thomas A. Spence were duly elected Electors of President and Vice President of the United States, for the State of Maryland, at the election held on the second day of November 1840.

Given under my hand, and the great Seal of the State of Maryland, this 2nd. day of December 1840.



By the Governor
S. Murray, Secy of State."

Wm. Geason
Governor of Maryland.

* Note by the Secretary. The Legislature of every State is required to furnish three certificates of the names of the Electors. (Act of Congress 1792 Chapter 109. Sec. 3.) The Act of Congress of 1804 Chapter 403. Sec. 2. directs the Electors, to be chosen at the election next succeeding the passage of the Act, or assembling in the respective States, to cast their ballots for President and Vice President, unless they should have received a transcript of the notification of the certification of the amendment of the Constitution, (now Article 12.) relating to the mode of electing the President and Vice President of the United States, or, unless they should meet more than five days subsequent to the publication of the said certification, to vote for two Persons as President and Vice President, in conformity with the 1st. Sect. of the 2d. Art. of the Constitution, then in force; and likewise, to vote for one Person as President, and for one Person as Vice President, in conformity with the proposed amendment of the Constitution (now Art. 12.) This provision was deemed necessary to avoid the possibility of any State being deprived of its vote at that election, because of its Electors not being apprised of the certification of the proposed amendment.

The 3rd. Sect. of the Act of 1804, Chapter 403 provides that, if it should become the duty of Electors of any State to vote in conformity with the directions above recited, in each case, and in each only, the legislative authority of such State should cause lists of the names of the Electors to be made and certified, and delivered to the Electors, because